

Lisa T. Simpson
Orrick, Herrington & Sutcliffe LLP
666 Fifth Avenue,
New York, NY 10103
Telephone: (212) 506-5000
Facsimile: (212) 506-5151

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

7
65718 & SUTS
CAPITOL RECORDS, LLC, a Delaware limited liability company; CAROLINE RECORDS, INC., a New York Corporation; VIRGIN RECORDS AMERICA, INC., a California Corporation; EMI BLACKWOOD MUSIC, INC., a Connecticut Corporation; EMI APRIL MUSIC, INC., a Connecticut Corporation; EMI FULL KEEL MUSIC, INC., a duly licensed Corporation; EMI VIRGIN MUSIC, INC., a New York Corporation; EMI ROBBINS CATALOG, INC., a New York Corporation; EMI WATERFORD MUSIC, INC., a California Corporation; EMI GROVE PARK MUSIC, INC., a California Corporation; COLGEMS-EMI MUSIC, INC., a Delaware Corporation; and EMI VIRGIN SONGS, INC., a New York Corporation,

Plaintiffs,

vs.

VIDEOEGG INC., d/b/a VIDEOEGG.COM, a Delaware Corporation; HI5 NETWORKS, INC., d/b/a HI5.COM, a California Corporation; and DOES 1-10, inclusive,

Defendants.

No. 08-cv-05831 (HB) (DCF)

ECF Case

**MOTION TO ADMIT
COUNSEL PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Lisa T. Simpson, a member in good standing of the bar of this Court, hereby move for an Order admitting I. Neel Chatterjee, Esq. of Orrick, Herrington & Sutcliffe LLP, pro hac vice to the United States District Court for the Southern

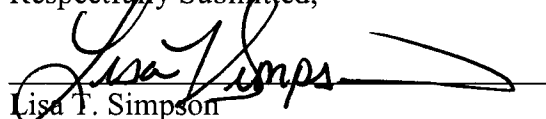
District of New York, so as to allow him to appear as counsel for the Defendant VideoEgg, Inc. in the above-captioned action.

I. Neel Chatterjee is a member in good standing of the Bar of the State of California.

There are no pending disciplinary proceedings against I. Neel Chatterjee in any State or Federal court.

Dated: New York, New York
July 24, 2008

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Lisa T. Simpson", is written over a horizontal line.

Lisa T. Simpson
Orrick, Herrington & Sutcliffe LLP
666 Fifth Avenue
New York, NY 10103-0001
Tel: (212) 506-5000
Fax: (212) 506-5151
Attorney for Defendant VideoEgg, Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CAPITOL RECORDS, LLC, a Delaware limited liability company; CAROLINE RECORDS, INC., a New York Corporation; VIRGIN RECORDS AMERICA, INC., a California Corporation; EMI BLACKWOOD MUSIC, INC., a Connecticut Corporation; EMI APRIL MUSIC, INC., a Connecticut Corporation; EMI FULL KEEL MUSIC, INC., a duly licensed Corporation; EMI VIRGIN MUSIC, INC., a New York Corporation; EMI ROBBINS CATALOG, INC., a New York Corporation; EMI WATERFORD MUSIC, INC., a California Corporation; EMI GROVE PARK MUSIC, INC., a California Corporation; COLGEMS-EMI MUSIC, INC., a Delaware Corporation; and EMI VIRGIN SONGS, INC., a New York Corporation,

Plaintiffs,

vs.

VIDEOEGG INC., d/b/a VIDEOEGG.COM, a Delaware Corporation; HI5 NETWORKS, INC., d/b/a HI5.COM, a California Corporation; and DOES 1-10, inclusive,

Defendants.

No. 08-cv-05831 (HB) DCF)

ECF Case

**AFFIDAVIT OF LISA T. SIMPSON
IN SUPPORT OF MOTION TO
ADMIT COUNSEL PRO HAC VICE**

STATE OF NEW YORK)
)
COUNTY OF NEW YORK)

ss:

LISA T. SIMPSON, being duly sworn, deposes and says:

1. I am a partner at Orrick, Herrington & Sutcliffe LLP, counsel for Defendant VideoEgg, Inc. in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Defendant VideoEgg, Inc.'s motion to admit I. Neel Chatterjee as counsel pro hac vice to represent Defendant VideoEgg, Inc. in this matter.

2. I am a member in good standing of the bar of the State of New York. I was admitted to the First Department in March of 1995. I am also admitted to the bar of the United States District Court of the Southern District of New York, and am in good standing with this Court.

3. Mr. I. Neel Chatterjee is a partner of the firm Orrick, Herrington & Sutcliffe LLP in Menlo Park, California. He has been admitted to practice before the Supreme Court of California. A Certificate of Good Standing, issued by the State Bar of California on July 14, 2008, is annexed hereto as **Exhibit A**.

4. Mr. I. Neel Chatterjee is a skilled attorney. He is experienced in federal practice and is familiar with the Federal Rules of Civil Procedure.


5. Accordingly, I am pleased to move the admission of I. Neel Chatterjee, pro hac vice.

6. I respectfully submit a proposed order granting the admission of I. Neel Chatterjee, pro hac vice, as **Exhibit B** hereto.

WHEREFORE it is respectfully requested that the motion to admit I. Neel Chatterjee, pro hac vice, to represent Defendant VideoEgg, Inc. in the above-captioned matter, be granted.

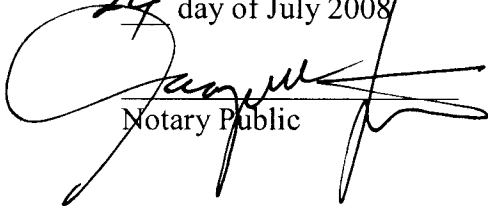
Dated: July 24, 2008
New York, New York

Respectfully Submitted,



Lisa T. Simpson
Orrick, Herrington & Sutcliffe LLP
666 Fifth Avenue
New York, NY 10103
Tel: (212) 506-5000
Fax: (212) 506-5151
Attorney for Defendant VideoEgg, Inc.

Sworn to before me this
24 day of July 2008


Notary Public

ANGELA M. FORBES
Notary Public, State of New York
No. 01100007000
Qualified in Queens County 10
Commission Expires Oct. 7, 2010



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

July 14, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, INDRA NEEL CHATTERJEE #173985 was admitted to the practice of law in this state by the Supreme Court of California on December 19, 1994; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Kath Lambert".

Kath Lambert
Custodian of Membership Records

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CAPITOL RECORDS, LLC, a Delaware limited liability company; CAROLINE RECORDS, INC., a New York Corporation; VIRGIN RECORDS AMERICA, INC., a California Corporation; EMI BLACKWOOD MUSIC, INC., a Connecticut Corporation; EMI APRIL MUSIC, INC., a Connecticut Corporation; EMI FULL KEEL MUSIC, INC., a duly licensed Corporation; EMI VIRGIN MUSIC, INC., a New York Corporation; EMI ROBBINS CATALOG, INC., a New York Corporation; EMI WATERFORD MUSIC, INC., a California Corporation; EMI GROVE PARK MUSIC, INC., a California Corporation; COLGEMS-EMI MUSIC, INC., a Delaware Corporation; and EMI VIRGIN SONGS, INC., a New York Corporation,

Plaintiffs,

vs.

VIDEOEGG INC., d/b/a VIDEOEGG.COM, a Delaware Corporation; HI5 NETWORKS, INC., d/b/a HI5.COM, a California Corporation; and DOES 1-10, inclusive,

Defendants.

No. 08-cv-05831 (HB) (DCF)

ECF Case

**ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Upon the motion of Lisa T. Simpson, attorney for Defendant VideoEgg, Inc., and said sponsor attorney's affidavit in support:

IT IS HEREBY ORDERED that

I. Neel Chatterjee, Esq.
Orrick, Herrington & Sutcliffe LLP
1000 Marsh Road
Menlo Park, CA 94025
Tel: 650-614-7400
Fax: 650-614-7401
nchatterjee@orrick.com

is admitted to practice pro hac vice as counsel for Defendant VideoEgg, Inc. in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of the Court.

Dated: July __, 2008
New York, New York

Hon. Harold Baer, Jr.
United States District Judge

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of Defendant VideoEgg, Inc.'s Motion to Admit Counsel *Pro Hac Vice* for I. Neel Chatterjee, a true and correct copy of Defendant VideoEgg, Inc.'s Affidavit of Lisa T. Simpson In Support of Motion to Admit Counsel *Pro Hac Vice* for I. Neel Chatterjee (annexed with the following exhibits: A) A Certificate of Good Standing, issued by the State Bar of California on behalf of I. Neel Chatterjee; and B) a proposed Order granting the admission of I. Neel Chatterjee), as well as a true and correct copy of Defendant VideoEgg, Inc.'s Motion to Admit Counsel *Pro Hac Vice* for Robert Ricketson, and a true and correct copy of Defendant VideoEgg, Inc.'s Affidavit of Lisa T. Simpson In Support of Motion to Admit Counsel *Pro Hac Vice* for Robert Ricketson (annexed with the following exhibits: A) A Certificate of Good Standing, issued by the State Bar of California on behalf of Robert Ricketson; and B) a proposed Order granting the admission of Robert Ricketson) were caused to be served *via* Federal Express, this 25th day of July upon counsel named below:

Christine Lepera
Mitchell Silberberg & Knupp LLP
12 East 49th St.
New York, NY 10017
Telephone: (212) 509-3900
Facsimile: (212) 509-7239

Russell J. Frackman
Marc E. Mayer
Mitchell Silberberg & Knupp LLP
11377 West Olympic Boulevard
Los Angeles, California 90064-1683
Telephone: (310) 312-2000
Facsimile: (310) 312-3100

Attorneys for Plaintiffs



Aaron G.R. Rubin
Orrick, Herrington & Sutcliffe LLP
666 Fifth Avenue
New York, New York 10103
(212) 506-5000